

Application No. : 10/669,677  
Filed : September 23, 2003

IN THE CLAIMS

Please amend Claims 1, 8, 12, 13, 19 and 22-25, cancel Claims 3, 4 and 11 without  
5 prejudice, and add new Claim 26 as follows:

1. (Currently amended) Bear excluding apparatus, comprising:

a body having an interior volume and an aperture formed therein, said aperture having a  
diameter nearly the full diameter of the body; and

a threaded cap having at least one locking element associated therewith;

10 wherein said cap threads onto or off said body by the action of a human; and  
a ridge formed proximate said cap, said ridge having a diameter larger than an outside  
diameter of said cap and having a region extending upward beyond a lower edge of said cap when  
said cap is fully threaded onto said body;

wherein said body, ridge and cap cooperate to exclude said bear from said interior volume.

15 2. (Original) The apparatus of Claim 1, wherein said cap comprises a lower edge, said  
lower edge mating substantially flush with a corresponding surface of said body so as to  
substantially eliminate any gap there between.

3. – 4. (Cancelled)

5. (Original) The apparatus of Claim 1, wherein said body is formed of polycarbonate,  
20 and said cap is formed of nylon.

6. (Original) The apparatus of Claim 1, wherein said body and said cap coordinate to  
dissipate energy applied to said apparatus by said animal without causing said cap to separate from  
said body.

7. (Original) The apparatus of Claim 1, wherein said body is substantially smooth and  
25 featureless so as to frustrate said animal in applying force thereto.

8. (Currently amended) Bear excluding container apparatus, comprising:

a molded body having an interior volume and an aperture formed therein, said body further  
comprising first threads and being adapted to withstand forces exerted by said bear; and

a molded cap having a locking element associated therewith and second threads, said cap  
30 being retained on said body through at least cooperation of said first and second threads; and

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at least one exclusion ridge formed on said body proximate said first threads, said at least one ridge being adapted to substantially shield a gap created between said cap and said body when said cap is threaded at least partly onto said body;

5 wherein access to said volume by said bear is frustrated by said locking element, said body, said ridge, and said cap.

9. (Original) The apparatus of Claim 8, wherein said locking element is adapted to require at least some distortion of at least one of said molded cap or body for said cap to be threadably removed from said body.

10 10. (Original) The apparatus of Claim 8, wherein said body is substantially comprised of polycarbonate, and said cap is substantially comprised of a nylon-based polymer.

11. (Cancelled)

12. (Currently amended) Bear excluding apparatus, comprising:

15 a body having an interior volume and an aperture formed therein, said body comprising a material of sufficient thickness ~~being adapted~~ to withstand the application of forces applied by said bear;

a threaded cap having at least one locking element associated therewith, said cap threading onto said body and forming a gap there between; and

~~an~~ a vertically extending exclusion ridge formed immediately proximate said gap, said exclusion ridge and said cap cooperating to prevent said bear from gaining access to said gap.

20 13. (Currently amended) Animal excluding container apparatus, comprising:

a one-piece body having an interior volume and an aperture formed therein communicating with said volume, said body further being formed of a rigid yet flexible polymer; ~~and~~

25 a tamper-resistant polymer cap, said cap being threaded onto said body and forming a gap there between, said cap and body cooperating to dissipate forces applied to the exterior of said apparatus by said animal without providing access to said volume; and

an exclusion ridge proximate said gap, said exclusion ridge denying access to the gap by an animal.

~~wherein said cap is specifically configured to be removed by a human using two hands.~~

14.-18. (Cancelled)

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19. (Currently amended) A method of operating an animal excluding container apparatus having a body and threadedly engaged low profile cap, said apparatus further comprising first and second interfering locking elements, the method comprising:

applying force, using two human hands, to said low profile cap in at least one region to  
5 reduce said interference between locking elements; and

rotating said cap in cooperation with said act of applying, said rotating causing said locking elements to change relative position thereby allowing further rotation of said cap.

20. (Original) The method of Claim 19, wherein said interfering locking elements each comprise a raised feature, and said act of applying comprises applying sufficient force to said at  
10 least one region to cause one of said first and second raised features to move with respect to the other, said moving reducing said interference.

21. (Previously presented) Tamper-resistant container apparatus manufactured by the method comprising:

forming a unitary molded polycarbonate body having an aperture therein and a first locking  
15 element thereon;

forming a nylon cap element adapted to threadedly engage said body, said cap element having a second locking element thereon, and

threading said cap element onto said body such that said first and second locking elements cooperate to frustrate subsequent removal of said cap by one or more bears.

22. (Currently amended) Bear-excluding container apparatus, comprising:

a molded high-strength polymer body having an interior volume and an aperture formed therein, said body further comprising first threads and being adapted to withstand forces exerted by said bear;

a molded cap having a bottom edge, a locking element, and second threads, said cap being  
25 retained on said body through at least cooperation of said first and second threads; and

at least one exclusion feature disposed on said body proximate to said bottom edge of said cap and adapted to frustrate access by said bear to a gap formed by said bottom edge of said cap and said body when said cap is threaded at least partly onto said first threads, said exclusion feature further having a diameter larger than said molded cap;

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wherein access to said volume by said bear is frustrated by at least the individual action of at least one of said locking element, said body, said exclusion feature, and said cap.

23. (Currently amended) Animal excluding apparatus, comprising:

a body having an interior volume and an aperture formed therein, said aperture being nearly

5 the full diameter of said body at said body's widest point; and

a threaded cap having at least one means for frustrating removal associated therewith; and

a barrier located proximate a gap between said cap and said body, said barrier preventing the intrusion of said gap by an animal;

wherein said cap threads onto said body, and is configured to be removed with two hands.

10 24. (Currently amended) The apparatus of Claim 23, wherein said at least one means for frustrating removal comprises a ridge formed substantially proximate to a gap created between said body and threaded cap when said cap is threaded onto said body, said ridge mitigating access to said gap by said moisture.

25. (Currently amended) Animal excluding apparatus, comprising:

15 a body having an interior volume and an aperture formed therein;

a threaded cap having at least one means for frustrating removal associated therewith, said cap forming a gap with said body; and

an exclusionary ridge located proximate said gap, said ridge preventing moisture intrusion into said interior volume; and

20 a plurality of surface elements disposed on an exterior surface of said body;

wherein said cap threads onto said body; and

wherein said plurality of surface elements are adapted to provide retention of one or more restraining devices.

26. (New) Bear excluding apparatus, comprising:

25 a substantially transparent polycarbonate body comprising:

a threaded region having a first height;

an interior volume; and

an aperture formed in said body proximate said threaded region, said aperture being comparable in diameter as an outer diameter of said body;

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an exclusionary ridge formed as part of said polycarbonate body and located proximate said threaded region; and

a nylon threaded cap adapted for mating with said threaded region and having at least one apparatus configured to frustrate unwanted removal of said cap from said body, said nylon cap

5 further having a diameter at least that of said aperture, and a vertical profile substantially similar to that of said threaded region of said body, said cap and said body producing a gap when said cap is threaded onto said body;

wherein said substantially similar vertical profiles frustrate unwanted removal of said cap by a transverse load generated by a bear;

10 wherein said exclusionary ridge prevents said bear from accessing said gap; and

wherein said ridge, cap and body cooperate to substantially restrict moisture intrusion into said interior volume.